



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

214264

ENTERED
Office of Proceedings

James R. Paschall
Senior General Attorney

Writer's Direct Dial Number

(757) 629-2759

JUN 29 2005

Part of
Public Record

June 28, 2005



VIA FEDERAL EXPRESS

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20006

Re: STB Docket No. AB-290 (Sub. No. 243X), Norfolk Southern Railway
Company – Abandonment – Winston-Salem, North Carolina –
Notice of Exemption

Dear Mr. Williams:

Enclosed for filing with the Board in the captioned proceeding are an original and ten copies of the Notice of Exemption. Also, enclosed is a check in the amount of \$3000 to cover the filing fee.

NSR's intention is to file this Notice of Exemption on June 30, 2005. If the Board receives this filing before June 30, NSR requests that the filing date be postponed to June 30, 2005.

Please acknowledge receipt on the enclosed copy of this letter and return it to me in the self-addressed, stamped envelope.

Yours very truly,

James R. Paschall

JRP/kch
Enclosures

FILE RECEIVED

JUN 29 2005

SURFACE
TRANSPORTATION BOARD

FILED

JUN 29 2005

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-290 (SUB-NO. 243X)

NORFOLK SOUTHERN RAILWAY COMPANY

-- ABANDONMENT --

FORSYTH COUNTY, NORTH CAROLINA

NOTICE OF EXEMPTION

COMES NOW Norfolk Southern Railway Company ("NSR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for abandonment of its line of railroad lying between milepost R-124.2 and milepost R-126.6 in Winston-Salem, North Carolina.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail

Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, NSR states as follows:

Traffic Certification - §§ 1152.50(b) and (d)(2)

As the attached certificate of General Manager V. W. Mason confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years (or any overhead traffic on the line can be rerouted over other lines), and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the abandonment between milepost R-124.2 and milepost R-126.6 in Winston-Salem, North Carolina, will be August 19, 2005.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Norfolk Southern Railway Company, a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2759

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is an exemption from the prior approval requirements of 49 U.S.C. §10903 in order for NSR to abandon the subject line. The line that will be subject to abandonment under the exemption consists of 2.4 miles of track between milepost R-124.2 and milepost R-126.6 in Forsyth County, North Carolina. A map showing the line to be abandoned, other rail lines in the area, highways, and population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 27101, 27104, 27105 and 27107.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

NSR has received no inquiries about public use of the right of way underlying the line segment to be abandoned and is unaware of any potential public purposes to which the right of way may be suited. NSR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes, however, NSR has not yet fully researched the matter.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, NSR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, NSR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports; Certifications - § 1105.7 and § 1105.8

Attached are environmental and historical reports prepared and served in accordance with the Surface Transportation Board's regulations. NSR certifies that the notice and transmittal requirements of § 1105.7, § 1105.8 and § 1105.11 have been met.

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, NSR certifies that the service and notice requirements of § 1152.50(d)(1)(certain government agencies) and § 1105.12 (newspaper notice) have been complied with.

For the foregoing reasons, NSR believes the proposed rail line abandonment is exempt from the prior approval requirements of 49 U.S.C. §§ 10903 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice of exemption.

Respectfully submitted.



David A. Brown
Vice President Strategic Planning
Norfolk Southern Railway Company

Of Counsel:

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191
(757) 629-2759

Attorney for Norfolk Southern
Railway Company

Dated: June 28, 2005

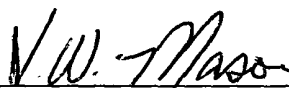
CERTIFICATION

STATE OF GEORGIA :

ss:

CITY OF ATLANTA :

V. W. Mason makes oath and says that he is General Manager Eastern Region for Norfolk Southern Railway Company; that the line between Milepost R-124.2 and Milepost R-126.6 in Winston-Salem, North Carolina, over which operations are to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.



V. W. Mason

Subscribed and sworn to before me
this 9th day of June, 2005.



Notary Public

My commission expires:

Notary Public, Fulton County, Georgia
My Commission Expires June 9th 2008

VERIFICATION

COMMONWEALTH OF VIRGINIA :
: SS:
CITY OF NORFOLK :

David A. Brown, being duly sworn, deposes and says that he is Vice President Strategic Planning of Norfolk Southern Railway Company; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-290 (Sub-No. 243X) on behalf of Norfolk Southern Railway Company; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.

David A. Brown
David A. Brown

Subscribed and sworn to before me
this 29th day of June, 2005.

Donna J. Jalani
Notary Public

My commission expires:

My Commission Expires April 30, 2007

[SEAL]

CERTIFICATION

I hereby certify (1), pursuant to § 1105.11, that Environmental and Historic Reports were submitted to the agencies identified in § 1105.7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 2); (2), pursuant to § 1105.12, that a notice of intent to abandon rail service was published in the Winston-Salem Journal, Winston-Salem, North Carolina, on June 3, 2005 (see Exhibit 3); and (3) that the notice required by § 1152.50(d)(1) was given (see Exhibit 4).




James R. Paschall

Dated: June 28, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon JoAnne Sanford, Chair, North Carolina Utilities Commission; Regional Director, National Park Service; the United States Department of Defense (MTMCTEA); National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on June 28, 2005, by first class mail, postage prepaid.

A handwritten signature in cursive script, appearing to read "James R. Paschall", is written above a horizontal line.

James R. Paschall

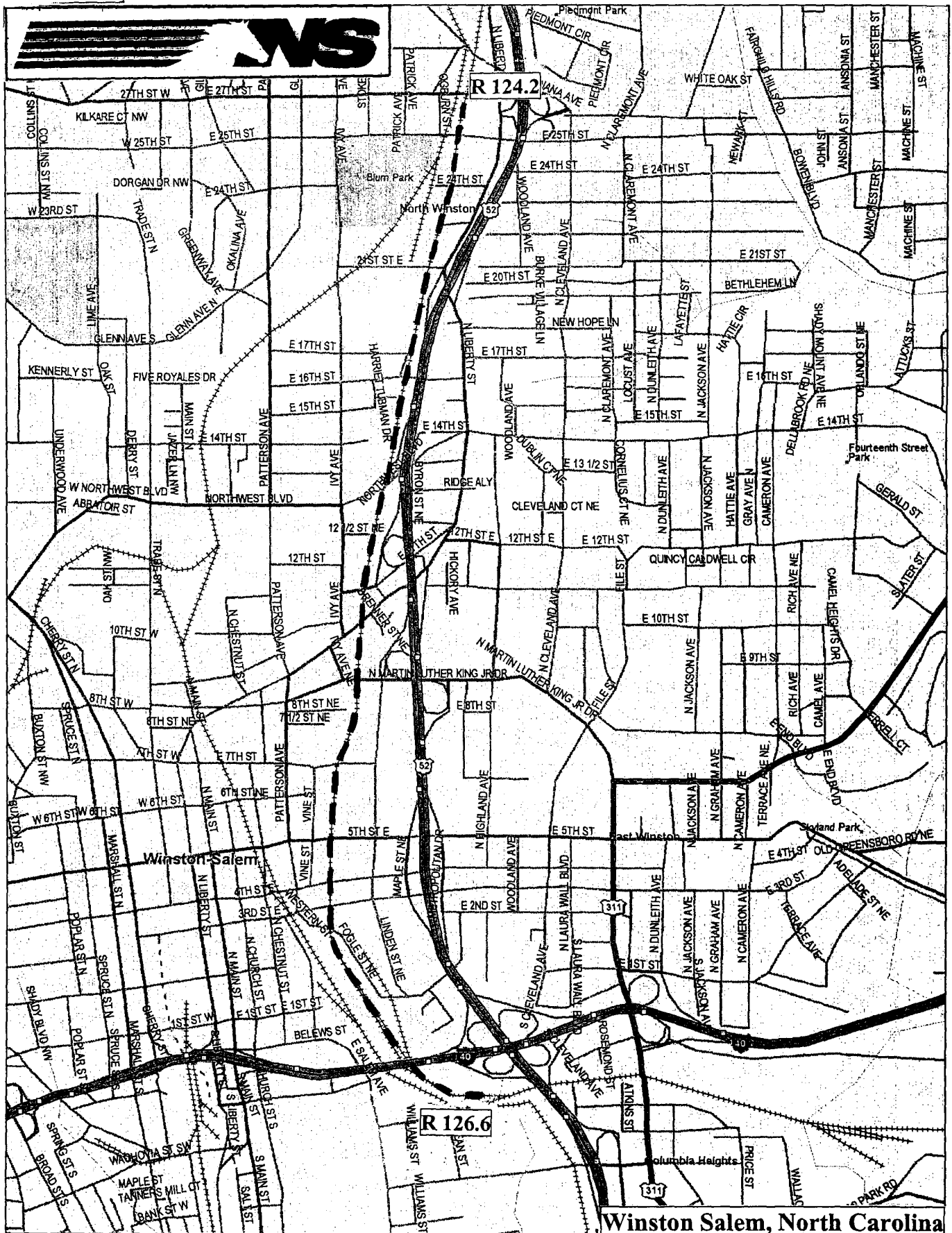


EXHIBIT 2

ENVIRONMENTAL AND HISTORIC REPORTS

**ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT**

By

NORFOLK SOUTHERN RAILWAY COMPANY

**RAIL LINE SEGMENT LOCATED IN
WINSTON-SALEM, FORSYTH COUNTY,
NORTH CAROLINA
(BETWEEN MILEPOST R-124.2 AND MILEPOST R-126.6)**

.....

**NORFOLK SOUTHERN RAILWAY COMPANY
ENVIRONMENTAL PROTECTION DEPARTMENT
110 FRANKLIN ROAD, SE
ROANOKE, VIRGINIA 24042-0013**

ENVIRONMENTAL REPORT ON PROPOSED RAIL LINE ABANDONMENT

Abandonment of: 2.4 miles of track between MP R-124.2 and MP R-126.6 located in Winston-Salem, Forsyth County, North Carolina (hereinafter, milepost is written as MP)

1. PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (hereinafter called NSR) proposes to abandon 2.4 miles of rail line located in Winston-Salem, Forsyth County, North Carolina. A map delineating the line proposed for abandonment is attached as **Appendix A**.

The two alternatives to abandonment of the entire line are:

1. to not abandon; or
2. to discontinue service on the line and retain the trackage in place.

These alternatives are not satisfactory. Immediately west of the rail line segment proposed for abandonment (MP R-124.2 to MP R-126.6) exists a parallel rail line from MP K-27.4 to MP K-24.6. At present, the K-line and the R-line connect at two locations: MP R-124.2 connects at MP K-27.4 and MP R-126.6 crosses at MP K-24.6. The R-line terminates at MP R-126.6 at a point of switch just north of the Winston-Salem Southbound (WSSB) interlocking diamond, which crosses the K-line at MP K-24.6. This proposed abandonment will allow NSR to operate over one line (the K-line) and eliminate the parallel 2.4 miles of the R-line. As a result of this proposed abandonment, the R-line will only connect with the K-line at MP K-27.4 and MP R-124.4. The WSSB connection to the K-line will be preserved. Accordingly, service over the line segment proposed for abandonment is not required to provide rail freight service to any active shippers. Current freight operations moving across the R-line will be relocated to the K-line.

Additionally, four at-grade public road crossings on the portion of the R-line proposed for abandonment will be removed. Elimination of these at-grade road crossings will benefit local traffic, improve safety, and reduce railroad and public maintenance costs. There are plans to sell the right-of-way for most of this proposed R-line abandonment

(MP R-124.2 to MP R-126.1) to the North Carolina Department of Transportation for possible future use related to a public transit project planned for the Piedmont Authority for Regional Transportation (PART). The remaining portion of the right-of-way (MP R-126.1 to MP R-126.6) will either be retained by NSR or sold to an entity of the City of Winston-Salem, where, its anticipated use is for the location of a proposed biomedical research center (Piedmont Triad Research Park (PTRP)). The PTRP will be utilized by Wake Forest University, Winston-Salem State University and Salem College. NSR's likely conveyance of the property to a public entity for public use will produce long-term environmental and societal benefits.

Moreover, NSR would incur opportunity and other holding costs that would need to be covered by NSR's other customers were the line to be retained without being used for active rail freight service. If the line is abandoned, the track and materials may be salvaged and the property sold to be put to a more productive use.

NSR's letter to federal, state and local government agencies is attached as **Appendix B**. Responses to the letter or other comments received as result of consultations can be found in **Appendix C**. Certification of the recipients of this report can be found in **Appendix D**.

2. TRANSPORTATION SYSTEM

Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. Rail service to the Winston-Salem Yard and other surrounding customers will be provided using the existing track (the K-line) to the immediate west of the rail line segment proposed for abandonment, which will be accomplished by improving an existing connection at MP R-124.2. Restructuring this connection will allow more efficient access to the parallel rail line, see **Appendix A**. Consequently, no rail traffic will be diverted to highway mode as a result of the proposed abandonment.

3. LAND USE

The proposed abandonment involves 2.4 miles of rail line located in Winston-Salem, Forsyth County, North Carolina. The land use along the rail line proposed for abandonment of service is 52% industrial, 45% unimproved and 3% residential. NSR believes any impact of the proposed rail line abandonment on land use will be beneficial if the property is transferred to a public entity for development; if it were otherwise transferred to adjoining landowners, associated benefits would be negligible. Beneficial results are more likely to occur if a public entity such as the City of Winston-Salem purchases all or part of the right-of-way, which will make available a corridor for public development, including the proposed PTRP. The planned PTRP at this location is supported by both the government of the City of Winston-Salem and the State of North Carolina. This is consistent with the proposed land use plans of the City of Winston-Salem. Thus, NSR considers the proposed abandonment to be consistent with any land use plans for the service area.

(ii) Prime Agricultural Lands

No effects on any prime agricultural land are anticipated as a result of the abandonment.

(iii) Coastal Zone

Not Applicable

(iv) Alternative Public Use

The right-of-way should be suitable for alternative public use. NSR is exploring the possibility of selling the right-of-way to a public entity for development of a biotechnology research center complex.

4. ENERGY

(i) Development and Transportation of Energy Resources

Development and transportation of energy resources will not be affected by the proposed abandonment. As rail freight will continue to move by way of the existing parallel line segment, the abandonment would have no effect on development and transportation of energy resources.

(ii) Movement/Recovery of Recyclable Commodities

Movement/recovery of recyclable commodities will not be affected by the abandonment as rail freight will continue to move by way of the existing parallel line segment. Therefore, the proposed abandonment would have no effect on movement or recovery of recyclable commodities.

(iii) Impact on Energy Efficiency

Energy efficiency will not be impacted by the proposed abandonment. Rail freight will continue to move by way of the existing parallel rail line; therefore, compared with the past two years, the abandonment would have no effect on energy efficiency. Moreover, the improved connection to NSR's Winston-Salem Yard will facilitate improved energy efficiency.

(iv) Diversion of Traffic to Motor Carriers

No traffic is expected to be diverted to motor carriers in connection with the proposed abandonment.

5. AIR

The proposed action is abandonment and does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e) (5) and therefore does not require a quantified analysis of emissions.

(i) Effects on Air Emissions

Neither Forsyth County nor the State of North Carolina has established analysis thresholds for air emissions. The State of North Carolina does have regulations for the control of particulate matter for non-attainment areas. However, North Carolina is in attainment for all priority air pollutants. The United States Environmental Protection Agency (USEPA - Region 4) has National Ambient Air Quality Standards for pollutants (including ozone) as found in 40 CFR Part 50; however, NSR does not anticipate any adverse effect on North Carolina's air quality as a result of the proposed abandonment.

(ii) Class I or Non-Attainment Area

Forsyth County and Winston-Salem, North Carolina are in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the USEPA Region 4. Forsyth County and Winston-Salem, North Carolina are in attainment for ozone. NSR does not believe any Class I or non-Attainment areas would be affected by the proposed abandonment.

(iii) Ozone Depleting Materials

Not applicable. Transportation of ozone depleting materials (such as nitrogen oxide and Freon®) is not contemplated, since the proposed action is abandonment; and it is not anticipated that this action will result in the diversion of any such materials from rail to motor carriage.

6. NOISE

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e) (6) and therefore does not require a quantified analysis of noise levels. Noise levels associated with rail removal or salvage operations are temporary and should not have a significant impact on the area surrounding the proposed abandonment.

There is no federal noise regulation according to the EPA. Neither Forsyth County nor Winston-Salem nor the State of North Carolina has established analysis thresholds for noise.

7. SAFETY

(i) Public Health and Safety

The proposed abandonment of the captioned rail line will result in the elimination of four public, at-grade road crossings. The closing of these at-grade road crossings on this line segment proposed for abandonment and the removal of associated signs and signals will enhance public safety by eliminating distractions to vehicular traffic crossing the line. These crossings are listed in detail in **Appendix E**.

(ii) Hazardous Materials Transport

Not applicable. Action proposed is abandonment.

(iii) Hazardous Waste or Hazmat Spill Sites

NSR has no knowledge of any hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the rail line proposed for abandonment or which will be affected by this abandonment. A search of company records was conducted, as well as on-line searches of North

Carolina Department of Natural Resources (NCDENR), National Response Center (NRC) and The USEPA EnviroMapper database were conducted. The searches did not reveal any information regarding spills or releases on this property.

The NCDENR search did yield a nearby facility that has been listed in the North Carolina Brownfields Inventory, Camel City Cleaners (CCC), See Appendix F. However, the fact that CCC is down gradient and that the rail is constructed on an elevated area roughly 50 feet above the natural road elevation leads NSR to conclude that impact to the right-of-way is improbable..

8. BIOLOGICAL RESOURCES

- (i) The US Fish and Wildlife Service (USFWS) and/or the North Carolina Department of Natural Resources have indicated through correspondence and/or public records that there are fifty (50) threatened or endangered species that may exist statewide. Two are known to exist in Forsyth County and are listed in the table below. The complete list can be found in Appendix G.

TABLE I
FEDERAL AND STATE ENDANGERED SPECIES
Forsyth County, North Carolina

Scientific Name	Common Name	Federal Status	State Status
<i>Picoides borealis</i>	Red- cockaded woodpecker	FE	SE
<i>Cardamine micranthera</i>	Small-anthered bittercress	FE	SE

FE – Federal Endangered
SE- State Endangered

The USFWS Asheville, NC office was contacted via telephone to notify them of the railroad's intent regarding this line and any subsequent activities that may be required in accordance with Section 7 of the Endangered Species Act. The USFWS advised that since this was an abandonment that their past experience has shown that this was an activity that rarely impacted habitat or endangered wildlife in such a way that it would require extensive consultation by their office. Accordingly, NSR is not aware of any critical habitat that would be destroyed or modified as a result of the proposed abandonment. Since any salvage operations will be handled generally within the right-of-way, NSR does not believe that any endangered species or critical habitat which might be present would be adversely affected. NSR is willing to undertake reasonable mitigating actions to protect any endangered species which might be encountered in connection with and during abandonment activities.

(ii) Sanctuaries, Refuges and Parks

Based on the site investigation and comments received from government agencies, the line segment proposed for abandonment does not pass through any state parks or forests, national parks or forests, or wildlife sanctuaries. Therefore, NSR anticipates no adverse effects on any wildlife sanctuary, National Park or Forest, or State Park or Forest as a result of the proposed abandonment.

9. WATER

(i) Water Quality Standards

NSR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned. The areal extent of disturbed areas will be kept to a minimum and limited to the right-of-way wherever possible. Since there are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, no water quality impacts are expected in connection with the proposed action.

Therefore, NSR considers the abandonment to be consistent with any applicable Federal, State, and/or local water quality standards.

(ii) Wetlands/100-Year Flood Plains

The rail line proposed for abandonment does not cross any waterways, does not pass through the 100-year flood plains and is not adjacent to wetlands. Consequently, NSR does not believe a Section 404 permit will be required in connection with the proposed abandonment.

(iii) Section 402 Permit

Inasmuch as NSR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned, undertake significant in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, water quality effects should be negligible. NSR does not believe that a permit under Section 402 of the Federal Water Pollution Control Act will be required.

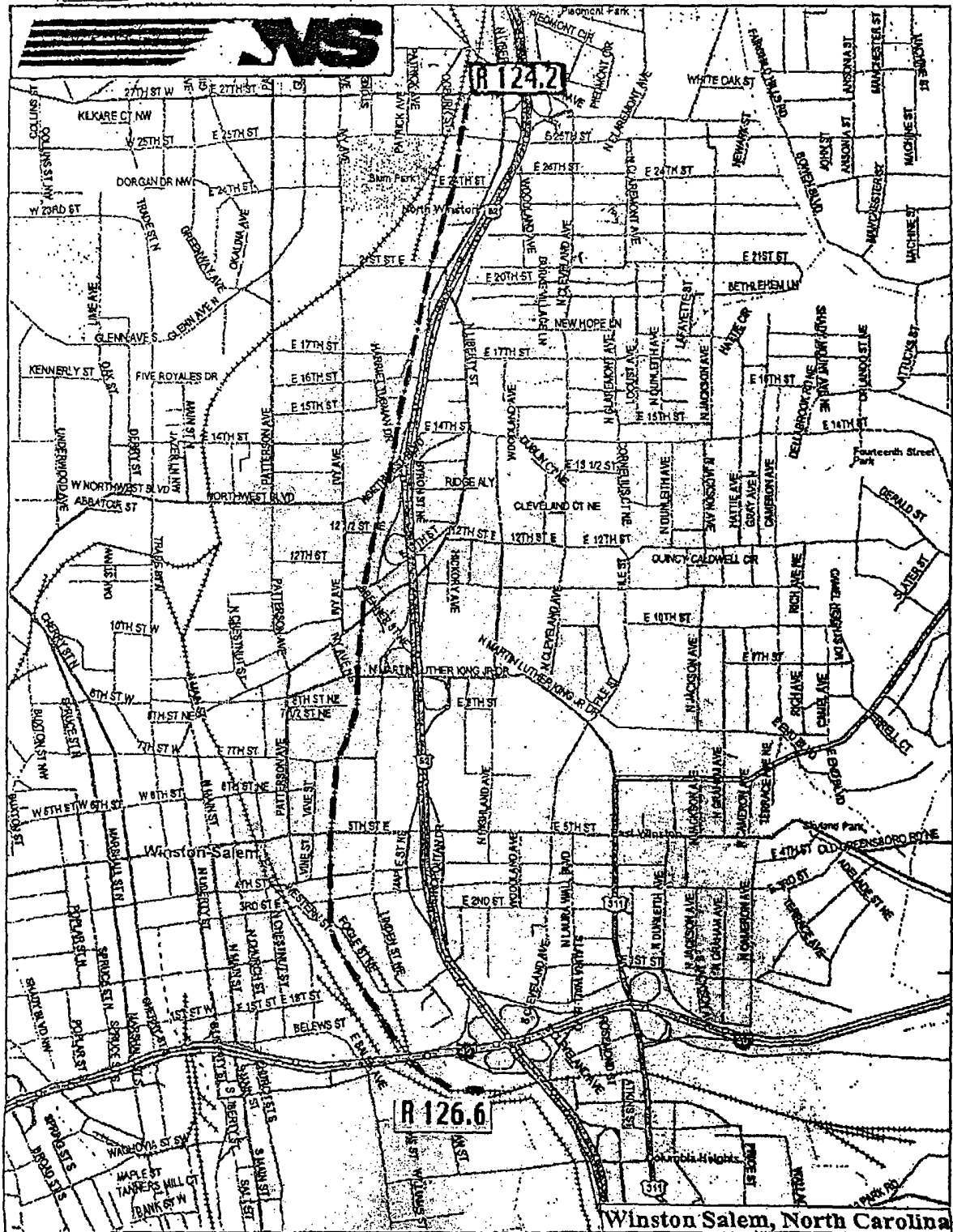
10. PROPOSED MITIGATION

Abandonment of the involved rail line is not expected to produce adverse environmental impacts. Only minimal physical activity associated with removal of rail, ties, and other railroad appurtenances will be produced by the proposed action. NSR will undertake all reasonable mitigation associated with these activities to assure that physical activities associated with the abandonment do not produce adverse environmental effects.

APPENDIX A

Site Map

c



Proposed Rail Line Abandonment
From Mileposts R-124.2 to Milepost R-126.6

APPENDIX B

Agency Letter



Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

May 25, 2005

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon the segment of rail line between Milepost R-124.2 and Milepost R-126.6, a distance of 2.4 miles, located in Winston-Salem, Forsyth County, North Carolina. A map delineating the line proposed for abandonment can be found in Appendix A of this Environmental Report for the Proposed Rail Line Abandonment.

NSR does not anticipate any adverse environmental impacts. You may provide us with a written response that can be included in an Environmental Report, which will be sent to the STB. The preceding page lists the various agencies receiving this report and the type of information NSR anticipates receiving from those agencies.

This report is also being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423-001, Telephone (202) 565-1552 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, NSR must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address below or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Norfolk Southern Railway Company
Larry G. Western
Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

Yours truly,

K.R. Miller
Director-Environmental Engineering and Audits
Norfolk Southern Railway Company

Cy: L.G. Western
J.R. Paschall
J.M. Lipps

RECIPIENT LIST

Proposed abandonment of the segment of rail line between Milepost R-124.2 and Milepost R-126.6, a distance of 2.4 miles, located in Winston-Salem, Forsyth County, North Carolina.

Agency	Contact Name	Address
State Clearinghouse		Department of Administration 1302 Mail Service Center Raleigh, NC 27699-1302
U. S. Environmental Protection Agency	J. I. Palmer, Jr. Regional Administrator	Region 4 61 Forsyth Street, SW Sam Nunn Atlanta Federal Center Atlanta, GA 30303-3104
State Environmental Protection Agency (NCDENR)		Department of Environment, and Health and Natural Resources P.O. Box 27687 Raleigh, NC 27611-7687
Forsyth County Manager	Mr. Graham Pervier	County Manager's Office 201 North Chestnut Street Winston-Salem, NC 27101
U. S. Fish and Wildlife Service	Mr. Sam Hamilton Regional Director	Region 4 Century Center 1875 Century Boulevard Atlanta, GA 30345
U. S. Fish and Wildlife Service	Mr. Brian P. Cole Field Supervisor	Asheville Field Office 160 Zillicoa Street Asheville, NC 28801
U. S. Army Corps of Engineers – Wilmington District – Raleigh Field Office	Mr. Todd J. Tugwell Raleigh Field Office Project Manager	6508 Falls of the Neuse Road – Suite 120 Raleigh, NC 27615
National Park Service	Mr. Jim Gale Special Agent-in-Charge	100 Alabama Street, SW Atlanta, GA 30303
USDA Natural Resources Conservation Service	Ms. Mary K. Combs State Conservationist	USDA Natural Resources Conservation Service 4405 Bland Rd., Suite 205 Raleigh, NC 27609
USDA Natural Resources Conservation Service	Mr. Randall Blackwood District Conservationist	Forsyth Agricultural Building 1450 Fairchild Drive Winston-Salem, NC 27549
National Geodetic Survey	Mr. Richard Snay – Chairman At-Large Chief of Spatial Reference System Div.	1315 East/West Highway, Room 8813 Silver Spring, Maryland 20910
State Geodetic Survey Contact	Mr. Gary W. Thompson, RLS	Chief, NC Geodetic Survey Elks Building 20323 Mail Service Center Raleigh, NC 27699-0323
<u>Courtesy Copy</u> North Carolina Department of Transportation	Mr. Patrick B. Simmons Director	Rail Division 1533 Mail Service Center Raleigh, NC 27699-1533
<u>Courtesy Copy</u> Pleasants Properties	Mr. Graydon Pleasants, SIOR	One Technology Place 200 East First Street Suite 103 Winston Salem, NC 27101
<u>Courtesy Copy</u> Idealliance	Mr. Bill Dean President	115 South Chestnut Street Winston-Salem, NC 27101

Appendix C

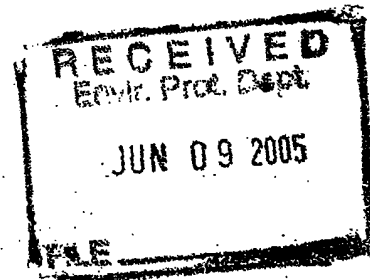
Agency Responses



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

L6W

JUN 7 2005



Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Norfolk Southern Railway Company for 2.4 miles of rail line located between Milepost R-124.2 and Milepost R-126.6, in Winston-Salem, Forsyth County, North Carolina, STB Docket No. - Not Available, has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 2 geodetic station markers have been identified that may be affected by the proposed abandonment; a listing of these markers is enclosed. Additional information about these station markers can be obtained via the Internet www.ngs.noaa.gov. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days notification in advance of such activities in order to plan for their relocation.

If further information is needed for these geodetic markers, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
Gary W. Thompson, Scott Lokken
K. R. Miller, Norfolk Southern Railway Company



Printed on Recycled Paper



NORFOLK SOUTHERN RAILWAY COMPANY
IN WINSTON-SALEM, FORSYTH COUNTY, NORTH CAROLINA

STB DOCKET NO. - NOT AVAILABLE

2 GEODETIC CONTROL MARKS IN THE PROPOSED ABANDONMENT AREA

PIDS	DESIGNATION	LATITUDE	LONGITUDE
FZ0172	BOLT	N360729	W0801403
FZ0167	L 97	N360548	W0801424

*Telephone Log
June 14, 2005*

11:55 AM

Winston-Salem
R-124.2 to R-124.6

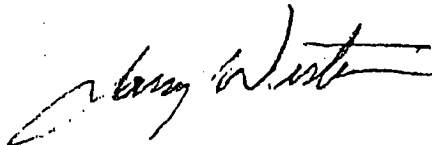
Call from Mr. Todd Tugwell, Project Manager, Army
Corps of Engineers

Mr. Tugwell asked how tracks were removed. NSRC
responded that the Standard Operating Procedure is to
remove rails and crossties, leaving ballast in place,
and leaving the topography unchanged.

Tugwell then stated he had no comments.

Tugwell's contact information is:

Phone: 919 876-8441 ext 26





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

June 15, 2005

Mr. Larry G. Western
Norfolk Southern Railway Company
Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

Dear Mr. Western:

This letter is a response to your May 25, 2005 letter transmitting an Environmental Report on the proposed rail line abandonment of the rail line segment in Winston-Salem, Forsyth County, North Carolina between Milepost R-124.2 and Milepost R-126.60 and providing an opportunity for the NC Department of Transportation to submit comments.

The deadline for receiving comment indicated in your letter is within three weeks. We intend to submit comments regarding the proposed abandonment and will provide these to you via fax on June 17th.

Please call me at 919-733-7245 extensions 274 if this response date is not acceptable.

Sincerely,

A handwritten signature in cursive script that reads "Pamela R. Davis".

Pamela R. Davis
Rail Planner

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
RAIL DIVISION
1553 MAIL SERVICE CENTER
RALEIGH NC 27699-1553

TELEPHONE: 919-733-7245
FAX: 919-715-6580
WEBSITE: WWW.BYTRAIN.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Appendix D

Certification of Environmental Report Recipients

Agency	Contact Name	Address
State Clearinghouse		Department of Administration 1302 Mail Service Center Raleigh, NC 27699-1302
U. S. Environmental Protection Agency	J. I. Palmer, Jr. Regional Administrator	Region 4 61 Forsyth Street, SW Sam Nunn Atlanta Federal Center Atlanta, GA 30303-3104
State Environmental Protection Agency (NCDENR)		Department of Environment, and Health and Natural Resources P.O. Box 27687 Raleigh, NC 27611-7687
Forsyth County Manager	Mr. Graham Pervier	County Manager's Office 201 North Chestnut Street Winston-Salem, NC 27101
U. S. Fish and Wildlife Service	Mr. Sam Hamilton Regional Director	Region 4 Century Center 1875 Century Boulevard Atlanta, GA 30345
U. S. Fish and Wildlife Service	Mr. Brian P. Cole Field Supervisor	Asheville Field Office 160 Zillicoa Street Asheville, NC 28801
U. S. Army Corps of Engineers – Wilmington District – Raleigh Field Office	Mr. Todd J. Tugwell Raleigh Field Office Project Manager	6508 Falls of the Neuse Road – Suite 120 Raleigh, NC 27615
National Park Service	Mr. Jim Gale Special Agent-in-Charge	100 Alabama Street, SW Atlanta, GA 30303
USDA Natural Resources Conservation Service	Ms. Mary K. Combs State Conservationist	USDA Natural Resources Conservation Service 4405 Bland Rd., Suite 205 Raleigh, NC 27609
USDA Natural Resources Conservation Service	Mr. Randall Blackwood District Conservationist	Forsyth Agricultural Building 1450 Fairchild Drive Winston-Salem, NC 27549
National Geodetic Survey	Mr. Richard Snay – Chairman At-Large Chief of Spatial Reference System Div.	1315 East/West Highway, Room 8813 Silver Spring, Maryland 20910
State Geodetic Survey Contact	Mr. Gary W. Thompson, RLS	Chief, NC Geodetic Survey Elks Building 20323 Mail Service Center Raleigh, NC 27699-0323
<u>Courtesy Copy</u> North Carolina Department of Transportation	Mr. Patrick B. Simmons Director	Rail Division 1533 Mail Service Center Raleigh, NC 27699-1533
<u>Courtesy Copy</u> Pleasants Properties	Mr. Graydon Pleasants, SIOR	One Technology Place 200 East First Street Suite 103 Winston Salem, NC 27101
<u>Courtesy Copy</u> Idealliance	Mr. Bill Dean President	115 South Chestnut Street Winston-Salem, NC 27101

Proposed abandonment of the segment of rail line between Milepost R-124.2 and Milepost R-126.6, a distance of 2.4 miles, located in the City of Winston-Salem, Forsyth County, North Carolina.

This Environmental Report for Proposed Rail Line Abandonment was sent to the above referenced agencies on

25/25/05

Date

K.R. Miller

K. R. Miller, Director Environmental Engineering and Audits

Appendix E

At-Grade Crossings

Public Crossings:

1	R-124.50	24th Street
2	R-124.35	25th Street
3	R-124.25	27th Street
4	R-125.50	Martin Luther King Boulevard/ 9th Street

Appendix F

Hazardous Materials Records Search

NORTH CAROLINA BROWNFIELDS PROJECTS INVENTORY

Near the Vicinity of Rail Segment R-124.2 and Milepost R-126.6

CAMEL CITY CLEANERS

501 East Third St.

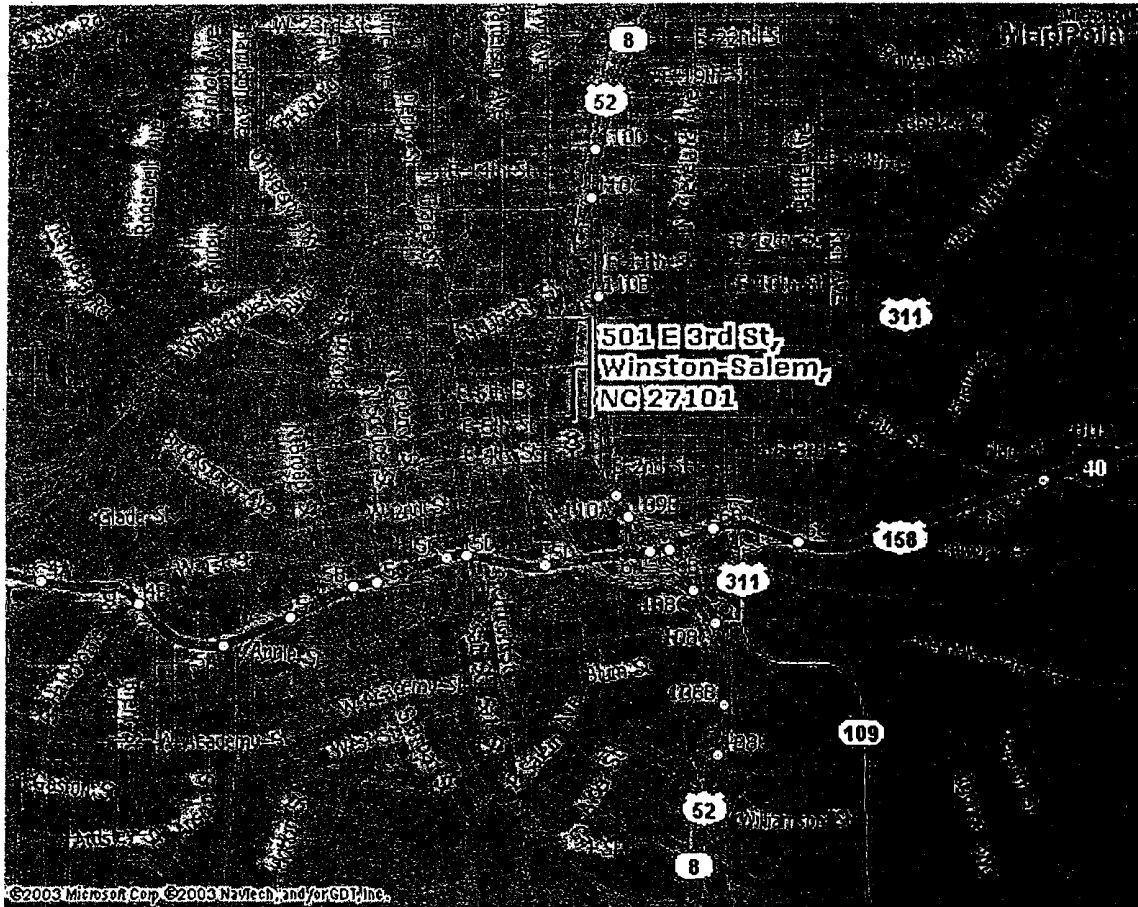
Winston-Salem, Forsyth Co.

Potential Developer:

Brownfields Redevelopment

International

Former dry cleaning facility with chlorinated solvent-impacted soil and groundwater from dry cleaning operations and semi-volatile impacted groundwater from proximate MGP facility. Intended reuse is for commercial/light industrial flex space.



Appendix G

Federal and State Endangered and Threatened Species

State of North Carolina – Endangered and Threatened Species

Animals -- 23

<u>Status</u>	<u>Listing</u>
E	Bat, Indiana (<i>Myotis sodalis</i>)
E	Bat, Virginia big-eared (<i>Corynorhinus (=Plecotus) townsendii virginianus</i>)
E	Butterfly, Saint Francis' satyr (<i>Neonympha mitchellii francisci</i>)
T	Chub, spotfin Entire (<i>Cyprinella monacha</i>)
T	Eagle, bald (lower 48 States) (<i>Haliaeetus leucocephalus</i>)
E	Elktoe, Appalachian (<i>Alasmidonta raveneliana</i>)
E	Heelsplitter, Carolina (<i>Lasmigona decorata</i>)
E	Pearlymussel, littlewing (<i>Pegias fabula</i>)
T	Plover, piping (except Great Lakes watershed) (<i>Charadrius melodus</i>)
E	Puma (=cougar), eastern (<i>Puma (=Felis) concolor couguar</i>)
T	Sea turtle, green (except where endangered) (<i>Chelonia mydas</i>)
E	Sea turtle, hawksbill (<i>Eretmochelys imbricata</i>)
E	Sea turtle, Kemp's ridley (<i>Lepidochelys kempi</i>)
E	Sea turtle, leatherback (<i>Dermochelys coriacea</i>)
T	Sea turtle, loggerhead (<i>Caretta caretta</i>)
E	Shiner, Cape Fear (<i>Notropis mekistocholas</i>)
T	Silverside, Waccamaw (<i>Menidia extensa</i>)
T	Snail, noonday (<i>Mesodon clarki nantahala</i>)
E	Spider, spruce-fir moss (<i>Microhexura montivaga</i>)
E	Spiny mussel, James (<i>Pleurobema collina</i>)
E	Spiny mussel, Tar River (<i>Elliptio steinstansana</i>)
E	Squirrel, Carolina northern flying (<i>Glaucornys sabrinus coloratus</i>)
E	Sturgeon, shortnose (<i>Acipenser brevirostrum</i>)
E	tern, roseate (northeast U.S. nesting pop.) (<i>Sterna dougallii dougallii</i>)
T	tern, roseate (Western Hemisphere except NE U.S.) (<i>Sterna dougallii dougallii</i>)
E	Wedgemussel, dwarf (<i>Alasmidonta heterodon</i>)
E	Whale, finback (<i>Balaenoptera physalus</i>)
E	Whale, humpback (<i>Megaptera novaeangliae</i>)
E	Whale, right (<i>Balaena glacialis (incl. australis)</i>)
E	Whale, sperm (<i>Physeter catodon (=macrocephalus)</i>)
E	Wolf, red (except where XN) (<i>Canis rufus</i>)
E	Woodpecker, red-cockaded (<i>Picoides borealis</i>)

Plants -- 27

<u>Status</u>	<u>Listing</u>
T	Joint-vetch, sensitive (<i>Aeschynomene virginica</i>)
T	Amaranth, seabeach (<i>Amaranthus pumilus</i>)
E	Bittercress, small-anthered (<i>Cardamine micranthera</i>)
E	Sedge, golden (<i>Carex lutea</i>)
E	Coneflower, smooth (<i>Echinacea laevigata</i>)
E	Avens, spreading (<i>Geum radiatum</i>)
E	Lichen, rock gnome (<i>Gymnoderma lineare</i>)
E	Bluet, Roan Mountain (<i>Hedyotis purpurea var. montana</i>)
E	Sunflower, Schweinitz's (<i>Helianthus schweinitzii</i>)
T	Pink, swamp (<i>Helonias bullata</i>)
T	Heartleaf, dwarf-flowered (<i>Hexastylis naniflora</i>)
T	Heather, mountain golden (<i>Hudsonia montana</i>)
T	Pogonia, small whorled (<i>Isotria medeoloides</i>)
T	Blazingstar, Heller's (<i>Liatris helleri</i>)
E	Pondberry (<i>Lindera melissifolia</i>)
E	Loosestrife, rough-leaved (<i>Lysimachia asperulaefolia</i>)
E	Dropwort, Canby's (<i>Oxypolis canbyi</i>)
E	Harperella (<i>Ptilimnium nodosum</i>)
E	Sumac, Michaux's (<i>Rhus michauxii</i>)
E	Arrowhead, bunched (<i>Sagittaria fasciculata</i>)
E	Pitcher-plant, green (<i>Sarracenia oreophila</i>)
E	Pitcher-plant, mountain sweet (<i>Sarracenia rubra ssp. ionesii</i>)
E	Chaffseed, American (<i>Schwalbea americana</i>)
E	Irisette, white (<i>Sisyrinchium dichotomum</i>)
T	Goldenrod, Blue Ridge (<i>Solidago spithamea</i>)
T	Spiraea, Virginia (<i>Spiraea virginiana</i>)
E	Meadowrue, Cooley's (<i>Thalictrum cooleyi</i>)

HISTORIC REPORT

PROPOSED RAIL LINE ABANDONMENT

PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (NSR) proposes to abandon 2.4 miles of rail line between Mileposts R-124.2 and R-126.6 at Winston-Salem, North Carolina. A map delineating the line proposed for abandonment is attached as Appendix "A".

The alternatives to abandonment of the line are to not abandon or to discontinue service on the line, retaining the trackage in place. Neither of these alternatives is economically feasible for NSR.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** -- Maps were furnished to the North Carolina Division of Archives and History, Department of Cultural Resources
- (2) **Written Description of Right of Way** -- The right of way width varies but is generally 32-43 feet on each side of the main track centerline. The line passes through industrial (52%), unimproved (45%), and residential (3%) areas.
- (3) **Photographs** -- Photographs were furnished to the North Carolina Division of Archives and History, Department of Cultural Resources.
- (4) **Date of Construction of Structures** -- Construction dates are shown on the Bridges and Structures Listing attached to this report.
- (5) **History of Operations and Changes Contemplated** -- Pursuant to the exemption in this proceeding, Norfolk Southern Railway Company (NSR) will abandon 2.4 miles of railroad line between Mileposts R-124.2 and R-126.6 at Winston-Salem, NC. The plan for the property is to sell most of this R-line (R-124.2 to R-126.1) to the North Carolina Department of Transportation for possible future use related to a

public transit project planned for the Piedmont Authority for Regional Transportation (PART). The remaining portion of the right-of-way (R-126.1 to R-126.6) will either be retained by NSR or sold for development of the anticipated biomedical research center, Piedmont Triad Research Park, that will be utilized by Wake Forest University, Winston-Salem University and Salem College. After the sale, NSR will be able to reconfigure its operations at Winston-Salem Yard to enable trains traversing the R-Line south to run on the K-Line to Greensboro without tying up the main yard or requiring extra train movements. No shippers or receivers will lose railroad service as a result of the transaction.

The subject rail line was part of an approximately 124-mile line of railroad between Roanoke, VA and Winston-Salem, NC that was built by contractors for the Roanoke and Southern Railway Company. It was constructed and opened for operation in sections between May 1889 and March 1892.

Roanoke and Southern Railway Company of North Carolina was incorporated under the laws of North Carolina, February 23, 1887. Roanoke and Southern Railway Company of Virginia was incorporated under the laws of Virginia, February 12, 1886. On June 18, 1887, the franchises and rights of the Roanoke and Southern Railway Company of North Carolina and Roanoke and Southern Railway Company of Virginia were consolidated to form Roanoke and Southern Railway Company.

Norfolk and Western Railway Company's predecessor, Norfolk and Western Railroad Company, leased the Roanoke-Winston-Salem line upon its completion on March 16, 1892.

Norfolk and Western Railway Company was incorporated by special act of Virginia approved on January 15, 1896, and succeeded, under a plan of

reorganization, to the properties of Norfolk and Western Railroad Company, the Lynchburg and Durham Railroad Company (that had been sold first to the Norfolk, Lynchburg and Durham Railroad Company) and the Roanoke and Southern Railway Company (that had been sold first to the Norfolk, Roanoke and Southern Railroad Company). The two companies shown in parentheses were organized on the dates of purchase for the sole purpose of acquiring and transferring the property of the named companies to Norfolk and Western Railway Company.

Norfolk and Western Railway Company's predecessor, Norfolk and Western Railroad Company, was sold at foreclosure September 15, 1896 and conveyed to Norfolk and Western Railway Company, October 1, 1896. Norfolk, Lynchburg and Durham Railroad Company conveyed the property of the Lynchburg and Durham Railroad Company that it had purchased at foreclosure September 16 or 24, 1896 to Norfolk and Western Railway Company on October 6, 1896. Norfolk, Roanoke and Southern Railroad Company conveyed the property of Roanoke and Southern Railway Company (124 miles of line between Roanoke, VA and Winston-Salem, NC) that it purchased at foreclosure November 24, 1896, together with its rights and franchises, to Norfolk and Western Railway Company on December 2, 1896.

The Roanoke-Winston-Salem line, in addition to the NW line between Roanoke, VA and Hagerstown, MD, provided NW with a significant north-south route to complement its basic east-west orientation. At Winston-Salem, the NW connected with the Winston-Salem Southbound Railway Company, which was incorporated under special act of the General Assembly of the State of North Carolina, January 31, 1905. The WSSB was organized and the charter was dated February 13, 1905. Norfolk and Western Railway Company and Atlantic Coast Line Railroad Company were the proprietor companies and, in July 1909, agreed to

finance the construction after two abortive attempts to have the line constructed.

The WSSB is still owned 50 percent each by NW's and ACL's successors, Norfolk Southern Railway Company and CSX Transportation, Inc., connecting with NW at Winston-Salem, NC and CSXT at Wadesboro, NC.

Norfolk Southern Corporation, a non-carrier holding company, was incorporated in the Commonwealth of Virginia on July 23, 1980. Based on an Agreement of Merger and Reorganization, dated July 31, 1980, and eventual Interstate Commerce Commission approval, Norfolk Southern Corporation acquired control of Norfolk and Western Railway Company and Southern Railway Company and their subsidiaries. At the time of the Norfolk Southern consolidation, Norfolk and Western Railway Company was headquartered in Roanoke, Virginia. Southern Railway Company was headquartered in Washington, DC with a substantial number of offices in Atlanta, Georgia.

On December 4, 1980, Norfolk Southern Corporation, Norfolk and Western Railway Company, and Southern Railway Company filed a joint application to the ICC in Finance Docket No. 29430 (Sub-No. 1), pursuant to which they sought authority under 49 U.S.C. 11343 for Norfolk Southern Corporation to acquire control through stock ownership of Norfolk and Western Railway Company and its subsidiary carrier companies, and of Southern Railway Company and its consolidated system companies.

Under approval granted by the ICC in Finance Docket No. 29430 (Sub-No. 1), *Norfolk Southern Corporation -- Control -- Norfolk and Western Railway Company and Southern Railway Company*, 366 I.C.C. 173 (1982), dated March 19, 1982, Norfolk Southern Corporation acquired control of Norfolk and Western Railway Company and Southern Railway Company on June 1, 1982.

Two books on the Norfolk and Western Railway Company and Southern Railway Company systems provide detailed information on the companies' history and development to the time of the Norfolk Southern consolidation. They are: E. F. Pat Striplin, *The Norfolk And Western: A History* (Roanoke, VA: The Norfolk and Western Railway Co., 1981) and Burke Davis, *The Southern Railway: Road Of The Innovators* (Chapel Hill, NC: University of North Carolina Press, 1985).

Effective December 31, 1990, Southern Railway Company changed its name to Norfolk Southern Railway Company. Norfolk and Western Railway Company became a wholly-owned subsidiary of Norfolk Southern Railway Company rather than a subsidiary of Norfolk Southern Corporation. In October 1996, Norfolk and Western Railway Company paid the outstanding bonds issued under the Norfolk and Western Railway Company First Consolidated Mortgage of October 22, 1896, payable October 1, 1996. The mortgage trustee, Bankers Trust Company, delivered a Release, Satisfaction and Discharge to Norfolk and Western Railway Company on January 31, 1997. All Norfolk and Western Railway Company properties became free of any system mortgage.

Pursuant to a notice of exemption filed in STB Finance Docket No. 33648, *Norfolk Southern Railway Company--Merger Exemption--Norfolk and Western Railway Company*, served August 31, 1998, Norfolk Southern Railway Company (NSR) merged Norfolk and Western Railway Company (NW) into NSR, effective September 1, 1998.

Norfolk Southern Corporation ("NSC"), parent to Norfolk Southern Railway Company ("NSR"), entered into a Transaction Agreement (the "Conrail Transaction Agreement") among NSC; NSR; CSX Corporation ("CSX"); CSX Transportation, Inc. ("CSXT"), a wholly-owned subsidiary of CSX; Conrail Inc. ("CRR"); Conrail, a

wholly-owned subsidiary of CRR; and CRR Holdings LLC, dated June 10, 1997, pursuant to which CSX and NSC indirectly acquired all the outstanding capital stock of CRR. The Conrail Transaction Agreement was approved by the Surface Transportation Board ("STB") in a decision served July 23, 1998 in STB Finance Docket No. 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements - Conrail Inc. and Consolidated Rail Corporation*, and the transaction was closed and became effective June 1, 1999.

Pursuant to the Conrail Transaction Agreement, certain Conrail assets were allocated to Pennsylvania Lines LLC ("PRR"), a wholly-owned subsidiary of Conrail. Furthermore, pursuant to the Conrail Transaction Agreement, PRR's assets, in turn, were leased to and are operated by NSR under the terms of an allocated assets operating agreement between PRR and NSR (the "NSR Operating Agreement") with an original term of twenty-five (25) years from the effective date of June 1, 1999, and two optional renewal terms of five (5) years each. The Conrail Transaction Agreement permitted NSR to operate and to enter into various transactions with regard to the assets allocated to PRR. As a result of the Conrail Transaction, Norfolk Southern Railway Company's rail operations grew to include some 7,200 miles of the Conrail system (predominately the former Pennsylvania Railroad), creating balanced rail transportation in the East to benefit customers and communities alike.

In STB Finance Docket No. 33788, *Norfolk Southern Railway Company--Trackage Rights Exemption--Over North Carolina Railroad Company*, served August 27, 1999, the Surface Transportation Board approved North Carolina Railroad Company's (NCRR) agreement to grant to NSR exclusive local and

overhead freight trackage rights over its entire line of railroad between Charlotte and Morehead City, NC. The line extends between mileposts EC-0.0+/- and EC-94.7+/-; mileposts H-0.0+/- and H-129.5+/-; and mileposts 284.0+/- and 376.5+/-, a distance of approximately 317.2 miles in Alamance, Cabarrus, Carteret, Craven, Davidson, Durham, Guilford, Johnston, Jones, Lenoir, Mecklenburg, Orange, Randolph, Rowan, Wake, and Wayne Counties, NC. Under the agreement, NSR is permitted to grant trackage rights to its subsidiaries. NSR or its predecessors had leased and operated the NCRR property since 1871 when the NCRR line between Goldsboro, NC and Charlotte, NC was leased to The Richmond and Danville Railroad Company.

On June 4, 2003, Norfolk Southern Corporation (NSC), CSX Corporation (CSX), and Consolidated Rail Corporation (Conrail) announced the joint filing of a petition with the STB for approval to establish direct ownership and control by CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway Company (NSR), the railroad subsidiaries of CSX and NSC, respectively, of the two Conrail subsidiaries - New York Central Lines LLC (NYC) and Pennsylvania Lines LLC (PRR) that CSXT and NSR had been managing and operating, respectively, since June 1, 1999 under operating agreements approved by the STB in the 1998 decision. The STB approved the petition, subject to certain conditions, in a decision served on November 7, 2003. The transaction was concluded on August 27, 2004 by the merger of NYC and PRR into CSXT and NSR, respectively. The transaction's effect was to replace the PRR and NYC operating agreements and allow NSR and CSXT to operate the NYC and PRR lines via direct ownership.

The change contemplated in the operation of the subject 2.4-mile railroad line at Winston-Salem, NC is for Norfolk Southern Railway Company to abandon

the line of railroad as surplus, to reconfigure its remaining yard and line at Winston-Salem in order to operate efficiently, and to convey most of this R-line abandonment (R-124.2 to R-126.1) to the North Carolina Department of Transportation for possible future use related to a public transit project planned for the Piedmont Authority for Regional Transportation (PART). The remaining portion of the right of way (R-126.1 to R-126.6) will either be retained by NSR or sold for development of the anticipated biomedical research center, Piedmont Triad Research Park, that will be utilized by Wake Forest University, Winston-Salem University and Salem College.

- (6) **Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic** – Bridge plans may be available for the structures on the line.
- (7) **Opinion Regarding Criteria For Listing In The National Register Of Historic Places** -- It is carrier's opinion that the structures on the line to be abandoned do not meet the criteria for listing in the *National Register of Historic Places*. The structures are small bridges that are short in length and relatively modern and ordinary in design and construction. There is nothing that distinguishes the bridges from others in the region. The line passes through mostly industrial and undeveloped areas with a few residential sites. Carrier has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment. Moreover, the right-of-way will remain basically intact because the North Carolina Department of Transportation plans to acquire most of it and retain it for possible rail transit use in the future so the abandonment should not result in any adverse effect on historical resources if there are any in the area.

(8) **Subsurface Ground Conditions That Might Affect Archaeological Recovery** --

Carrier is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Except for the area in the immediate vicinity of the biomedical research facility, the ground will not be disturbed following the abandonment of the line and the planned transfer of most of the property to the North Carolina Department of Transportation.

(9) **Follow-Up Information** -- Additional information will be provided as appropriate.



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
Senior General Attorney

Writer's Direct Dial Number

(757) 629-2752

May 31, 2005

Dr. Jeffrey Crow, Deputy Secretary of Archives and History
North Carolina Department of Cultural Resources
4610 Mail Service Center
Raleigh, NC 27699

Re: Docket No. AB-290 (Sub-No. 243X), Norfolk Southern Railway Company -
Abandonment - at Winston-Salem, North Carolina

Dear Dr. Crow:

On or about June 30, 2005, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 2.4 miles of rail line located between railroad mileposts R-124.2 and R-126.6 at Winston-Salem, North Carolina. Attached is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If you believe any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C. 20423-0001, Telephone (202) 565-1545, and refer to the above Docket. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the historic impacts of the contemplated action. If there are any questions concerning this proposal, please contact me directly at the above telephone number or address.

Yours very truly,

James R. Paschall JRP

James R. Paschall

JRP:kch
Enclosures

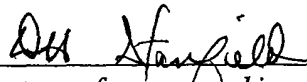
AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared D.H. Stanfield, who being duly sworn, deposes and says: that he is Controller of the Winston-Salem Journal, engaged in the publishing of a newspaper known as Winston-Salem Journal, published, issued and entered as second class mail in the City of Winston-Salem, in said County and State: that he is authorized to make this affidavit and sworn statement: that the notice or other legal advertisement, a true copy of which is attached hereto, was published in Winston-Salem Journal on the following dates:

June 3, 2005

and that the said newspaper in which such notice, paper document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the general statutes of North Carolina.

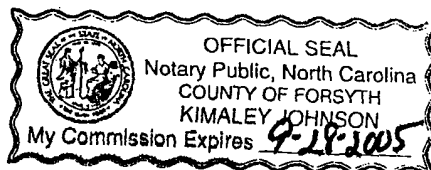
This 3rd day of June, 2005


(signature of person making affidavit)

Sworn to and subscribed before me, this 3rd day of June, 2005


Notary Public

My Commission expires: September 28, 2005



NOTICE OF INTENT TO ABANDON RAIL SERVICE
Norfolk Southern Railway Company gives notice that on or about June 30, 2005, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments, permitting the abandonment of a 2.4-mile line of railroad between mileposts R-124.2 and R-128.8 at Winston-Salem, which traverses through United States Postal Service ZIP Codes 27101, 27104, 27105 and 27107 in Forsyth County, North Carolina. The proceeding will be docketed as No. AB-290 (Sub-No. 2430). The STB's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-955-1545. Appropriate offers of financial assistance to continue rail service can be filed with the STB. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the STB. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the STB's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use of trails use may be directed to the STB's Office of Public Assistance at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative: James B. Paschall, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-9241, (757)629-2759.
WSJ: June 3, 2005



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

Exhibit 4

Writer's Direct Dial Number

James R. Paschall
Senior General Attorney

(757) 629-2759

June 15, 2005

JoAnne Sanford, Chair
North Carolina
Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Regional Director
National Park Service
100 Alabama St. SW
1924 Building
Atlanta, GA 30303

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
1849 C Street, N. W. (2310)
Washington, DC 20240-0001

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
1400 Independence Ave., SW
Washington, DC 20250

Mr. William Shaddox
National Park Service
Land Resources Division
1849 C Street, N. W. #MS3540
Washington, DC 20240

Re: STB Docket No. AB-290 (Sub-No. 243X), Norfolk Southern Railway Company –
Abandonment in Winston-Salem, North Carolina

Ladies and Gentlemen:

Pursuant to 49 CFR 1152.50(d)(1), Norfolk Southern Railway Company (NSR) hereby gives notice that on or about June 30, 2005, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit NSR's abandonment of a 2.4-mile line of railroad lying between milepost R-124.2 and milepost R-126.6 in Winston-Salem, Forsyth County, North Carolina (see attached map). No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,

James R. Paschall

JRP:kch
Enclosure